

a debtor named in EEOC's original notification to IRS.

(c) If the amount of a debt is reduced after referral by EEOC and offset by the IRS, EEOC will refund to the debtor any excess amount and will promptly notify the IRS of any refund made by EEOC.

§ 1650.207 Administrative charges.

All administrative charges incurred in connection with the referral of the debts to the IRS will be assessed on the debt and thus increase the amount of the offset.

Subpart C—Procedures for Collection of Debts by Administrative Offset

SOURCE: 62 FR 32685, June 17, 1997, unless otherwise noted.

§ 1650.301 Purpose.

This subpart sets forth the procedures to be followed in the collection by administrative offset of debts owed to the United States. The general standards and procedures governing the collection, compromise, termination, and referral to the Department of Justice of claims for money and property that are prescribed in the regulations issued jointly by the General Accounting Office and the Department of Justice pursuant to the Federal Claims Collection Act of 1966 (4 CFR Part 101-105) apply to the administrative collection activities of the EEOC. The Director of the Financial Management Division shall act on all claims arising out of the activities of the EEOC.

[62 FR 32685, June 17, 1997, as amended at 64 FR 28917, May 28, 1999]

§ 1650.302 Scope.

(a) *Applicability.* (1) The procedures in this subpart apply to the collection by administrative offset of debts owed to the Commission or other Federal agencies by former or current Commission employees under the authority of 31 U.S.C. 3716, common law, or any other applicable statutory authority, e.g., training expenses under 5 U.S.C. 4108, debts of employees removed for cause under 5 U.S.C. 5511, amounts owed by

accountable officers under 5 U.S.C. 5512, advances of pay under 5 U.S.C. 5522, temporary duty travel advances under 5 U.S.C. 5705, and relocation advances under 5 U.S.C. 5724.

(2) The procedures in this subpart also apply to offset of debts owed to the Commission or other Federal agencies by the Commission's contractors and grant recipients.

(b) *Non-applicability.* (1) The procedures in this subpart do not apply where collection by administrative offset of the debt involved is explicitly provided for or prohibited by another statute.

(2) The procedures in this subpart also do not apply to debts owed to the Commission by other Federal agencies or debts owed to the Commission or other Federal agencies by a State or local government.

(c) *Waiver requests and claims to the GAO.* The procedures in this subpart do not preclude a debtor from requesting waiver of an erroneous payment of pay, travel, transportation, or relocation expenses under 5 U.S.C. 5584 or any other provision of law or from questioning the amount or validity of a debt by submitting a subsequent claim to the U.S. Government Accounting Office.

(d) *Compromise, suspension, or termination under the Federal Claims Collection Standards.* Nothing in this subpart precludes the compromise, suspension, or termination of administrative offset collection actions, where appropriate, in accordance with the Federal Claims Collection Standards in 4 CFR chapter II.

§ 1650.303 Definitions.

For purposes of this subpart, the term *administrative offset* means the withholding of money payable by the Commission to, or held by the Commission for, a person to satisfy a debt the person owes to the Government. The term *person* means a natural person or persons, profit or non-profit corporation, partnership, association, trust, estate, consortium, or other entity which is capable of owing a debt to the United States Government except that the term does not include an agency of the United States Government or any